

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

MICHAEL RICATTO,

Plaintiff,

-v.-

M3 INNOVATIONS UNLIMITED, INC.,

Defendant.

18 Civ. 8404 (KPF)

**ORDER**

KATHERINE POLK FAILLA, District Judge:

On December 7, 2020, Defendant moved to compel production of two documents that Plaintiff claims are exempt from disclosure pursuant to the attorney-client privilege. (See Dkt. #75, 82). By Order dated January 12, 2021, the Court directed Plaintiff to file an *ex parte* submission explaining how the attorney-client privilege attaches to two disputed documents in light of the date of Mr. Finno's engagement letter with counsel. (Dkt. #85). Accordingly, on January 22, 2021, Plaintiff submitted via email an *ex parte* letter further explaining the applicability of the attorney-client privilege and the work product doctrine to the disputed documents. After reviewing Plaintiff's submissions, the Court agrees that the disputed documents are privileged and protected from disclosure. Accordingly, Defendant's Motion to Compel is DENIED. The Clerk of Court is directed to terminate the motion pending at docket entry 75.

SO ORDERED.

Dated: January 25, 2021  
New York, New York



KATHERINE POLK FAILLA  
United States District Judge